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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

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10 BRIAN CHURCH,  
11 Plaintiff,  
12 vs.  
13 OFFICER LUCAS TURLEY, in his individual  
14 and official capacity; SGT. DAVID MASON,  
15 in his official capacity; LAS VEGAS  
16 METROPOLITAN POLICE DEPARTMENT;  
17 DOE OFFICERS I through X, inclusive; and  
18 ROE XI through XX, inclusive,  
19 Defendants.

CASE NO. 2:19-cv-1198-RFB-DJA

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[FOURTH REQUEST]**

18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of  
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case  
20 ninety (90) days, up to and including Monday, April 12, 2021. In addition, the parties request that  
21 the all other future deadlines contemplated by the Discovery Plan and Scheduling Order be  
22 extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as  
23 follows:

24 1. On July 10, 2019, Plaintiff filed his Complaint in the United States District Court.  
25 2. On September 18, 2019, Defendants filed their Answer to Complaint.  
26 3. On October 17, 2019, the parties conducted an initial FRCP 26(f) conference  
27 4. On November 4, 2019, the Court entered the Stipulated Discovery Order.

1 5. On October 30, 2019, Plaintiff served his FRCP 26 Initial Disclosures on  
 2 Defendant.

3 6. On November 13, 2019, Defendant served its FRCP 26 Initial Disclosures on  
 4 Plaintiff.

5 7. On December 9, 2019, Defendant served written discovery on Plaintiff. Plaintiff's  
 6 Responses were due on January 27, 2019.

7 8. On February 26, 2020, Plaintiff served written Discovery on Defendants.  
 8 Defendants served their responses on June 10, 2020 and August 7, 2020.

9 **DISCOVERY REMAINING**

10 1. The parties will continue participating in written discovery.

11 2. Defendant will take the deposition of Plaintiff.

12 3. Plaintiff will take the deposition of Defendants Mason and Turley.

13 4. Plaintiff will take the deposition of Lt. Glaude.

14 5. The parties may take the depositions of any and all other witnesses garnered  
 15 through discovery.

16 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

17 The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following  
 18 requested extension. This Request for an extension of time is not sought for any improper purpose  
 19 or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing  
 20 sufficient time to conduct discovery.

21 The ongoing impact on discovery by the current COVID-19 crisis continues to constrain  
 22 the parties' ability to complete discovery. Local, state, and national officials continue to warn that  
 23 travel should be limited and/or avoided at this time to prevent further spread of the virus. Counsel  
 24 for Defendants are practicing physical distancing and are working remotely. Due to these  
 25 unexpected and rapidly changing circumstances, an extension of the close of discovery deadline is  
 26 necessary so the parties may fully develop their respective cases in chief.. Compounding this are  
 27 the upcoming holidays (Hanukkah, Christmas, and New Year's Day) and the parties' mutual intent  
 28 not to unduly interfere with any of these celebrations during these trying times.

1           Additionally, Plaintiff's counsel, E. Brent Bryson, Esq., was the victim of an automobile  
 2 accident wherein Mr. Bryson was rear-ended while stopped at a red light. Mr. Bryson suffered  
 3 injuries which have required continued physical therapy and rest which has interfered with his  
 4 office schedule.

5           Pursuant to the above, the parties have conferred and request an extension of the current  
 6 deadlines as they currently will not suffice for the complexity and logistics of this.

7           Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs  
 8 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or  
 9 motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than  
 10 twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR  
 11 26-3.

12           This is the fourth request for extension of time in this matter. The parties respectfully  
 13 submit that the reasons set forth above constitute compelling reasons for the short extension.

14           The following is a list of the current discovery deadlines and the parties' proposed  
 15 extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, January 11, 2021</i>	<i>Monday, April 12, 2021</i>
Deadline to Amend Pleadings or Add Parties	<i>Closed</i>	<i>Closed</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Closed</i>	<i>Closed</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Closed</i>	<i>Closed</i>
Dispositive Motions	<i>Wednesday, February 10, 2021</i>	<i>Wednesday, May 12, 2021</i>
Joint Pretrial Order	<i>Friday, March 12, 2021</i>	<i>Friday, June 11, 2021</i>

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28           ...

1 WHEREFORE, the parties respectfully request that this Court extend the discovery period  
2 by ninety (90) days from the current deadline of January 11, 2021, 2020, up to and including April  
3 12, 2021, 2021, and the other dates as outlined in accordance with the table above.

4 Dated this 21<sup>st</sup> day of December, 2020. Dated this 21<sup>st</sup> day of December, 2020.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP E. BRENT BRYSON, P.C.

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**ORDER**

11 IT IS SO ORDERED.

12 DATED this 22nd day of December, 2020.

13  
14   
15 UNITED STATES MAGISTRATE JUDGE